

CIVIL CASES

ADMINISTRATIVE PROCEDURE FOR FILING, SIGNING, AND VERIFYING PLEADINGS AND PAPERS BY ELECTRONIC MEANS IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING, AND VERIFYING
PLEADINGS AND PAPERS BY ELECTRONIC MEANS IN CIVIL CASES**

TABLE OF CONTENTS

I.	THE ELECTRONIC FILING SYSTEM.....	3
A.	IN GENERAL.....	3
B.	PASSWORDS.....	4
C.	REGISTRATION.....	5
II.	ELECTRONIC FILING AND SERVICE OF DOCUMENTS.....	6
A.	FILING.....	6
B.	SERVICE.....	9
C.	SIGNATURES.....	10
D.	FEES PAYABLE TO THE CLERK.....	11
E.	ORDERS.....	11
F.	TITLE OF DOCKET ENTRIES.....	13
G.	CORRECTING DOCKET ENTRIES.....	13
H.	TECHNICAL FAILURES.....	13
I.	PRIVACY.....	14
III.	CONVENTIONAL FILING OF DOCUMENTS.....	15
A.	DOCUMENTS TO BE FILED UNDER SEAL.....	15
B.	PRO SE FILERS.....	15
C.	SOCIAL SECURITY CASES.....	15
D.	FEE MATTERS	16
IV.	EXHIBITS.....	16
A.	IN GENERAL.....	16
B.	VOLUMINOUS EXHIBITS.....	16
C.	CONVENTIONAL FILING OF EXHIBITS.....	17
V.	PUBLIC ACCESS TO THE SYSTEM DOCKET.....	17
A.	PUBLIC ACCESS AT THE COURT.....	17
B.	INTERNET ACCESS.....	18
C.	CONVENTIONAL COPIES AND CERTIFIED COPIES.....	18
	REGISTRATION FORM.....	19
	SAMPLE FORMATS- CERTIFICATE OF SERVICE.....	20

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**ADMINISTRATIVE PROCEDURES FOR
FILING, SIGNING, AND VERIFYING PLEADINGS
AND PAPERS BY ELECTRONIC MEANS IN CIVIL CASES**

I. THE ELECTRONIC FILING SYSTEM.

A. IN GENERAL. Unless otherwise permitted by these administrative procedures, by local rules, or by a general order of the court, or unless otherwise specifically authorized by the assigned judge, all documents¹ submitted for filing in civil cases in this district on or after March 20, 2003, no matter when a case was originally filed, shall be filed electronically using the Electronic Filing System (“System”) or shall be scanned² and uploaded to the System.³ Documents may also be submitted to the clerk’s office for filing on 3.5” floppy disks or CDs as .pdf (“Portable Document Format”) files.⁴ However, the following exceptions shall apply.

1. Complaints, notices of removal, civil cover sheets, and summonses are governed by paragraph II(A)(2) & (3) of these procedures.
2. Parties proceeding pro se shall not file electronically.

¹The requirement that all documents be filed electronically includes motions, memoranda, briefs, exhibits, etc. It also includes transcripts of proceedings, and deposition transcripts if they are filed with the court (*see* D. Kan. Rule 30.2).

²When scanning documents that will be filed electronically, filing parties should configure their scanners at 200 dpi and black and white, rather than color, scanning. Filing parties are responsible for ensuring that scanned documents are legible. If a scanned document is not legible, the filing party should seek leave to file the document with the clerk’s office conventionally, rather than electronically.

Because large documents may not upload properly to the System or download within a reasonable amount of time for users with a 56K modem, the System will reject documents that exceed two megabytes. Accordingly, excessively large documents must be filed in components, each of which must be less than two megabytes, or may be filed conventionally with leave of the court.

³Electronic filing means uploading a document directly from the registered user’s computer and filing that document with the court by using the court’s Internet-based System. Sending a document or pleading to the court via e-mail does not constitute electronic filing.

⁴A document created with almost any word-processing program can be converted to .pdf. The .pdf program, in effect, takes a picture of the original document and allows anyone to open the converted document across a broad range of hardware and software with the layout, format, links, and images intact. For more information on .pdf, visit the websites of .pdf vendors such as www.adobe.com/products/acrobat/ or www.fineprint.com/.

3. Social Security cases are governed by paragraph III(C) of these procedures.
4. The documents in a case filed under seal will be maintained in conventional form and will not be placed on the System unless the assigned judge orders the case unsealed.
5. The filing of fee matters is governed by paragraph III(D) of these procedures.
6. A party may apply to the assigned judge for permission to file documents conventionally.⁵ However, even if the assigned judge initially grants permission to file documents conventionally, that permission may be withdrawn at any time and the party may be required to file documents electronically using the System.
7. The clerk or any judge of this court may deviate from these procedures without prior notice if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of every action. The court may also amend these procedures at any time without prior notice.

B. PASSWORDS.⁶

1. In General.
 - a. No attorney shall knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.
 - b. Once registered, an attorney shall be responsible for all documents filed with his or her password.
2. Attorneys Admitted to Practice in This Court. Each attorney admitted to practice in the District of Kansas shall be entitled to one System password, which will allow the attorney to retrieve and file documents electronically and to receive notices of electronic filing.
3. Attorneys Admitted Pro Hac Vice. Each attorney admitted pro hac vice must complete and sign an Attorney Registration Form. The attorney may then

⁵ As used in these administrative procedures, a conventionally filed document is one presented in traditional paper or other non-electronic, tangible format.

⁶ Registration for a password is governed by paragraph I(C) of these procedures.

retrieve documents electronically through PACER and will receive System-generated notices of electronic filing. However, the System will not allow the attorney to file documents electronically.

C. REGISTRATION.

1. Each attorney filing electronically must complete and sign an Attorney Registration Form, attached to these procedures as Form A. The form is also available on the court's web site at www.ksd.uscourts.gov.
2. The court will issue System passwords only to attorneys who are members of the bar of this court and who are in good standing. To be in good standing, an attorney must comply with the requirements of D. Kan. Rule 83.5.3, including timely payment of the annual registration fee.
3. All signed original Attorney Registration Forms shall be mailed or delivered to the clerk's office.
4. The clerk's office will either mail the password to the attorney by first-class mail or the attorney may arrange to pick up his/her password at the clerk's office.
5. Once registered, an attorney may withdraw from participating in the System by providing the clerk's office with notice of withdrawal. The notice must be in writing, and must be mailed or delivered to the clerk's office. Upon receipt, the clerk's office will immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list. An attorney's withdrawal from participation in the System will not be construed as an authorization to file cases or documents conventionally.
6. After registering, attorneys may change their passwords. If an attorney comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the attorney must change his or her password immediately.
7. An attorney whose e-mail address, mailing address, telephone number, or fax number has changed from that on the original Attorney Registration Form shall timely file a notice of a change of address and serve a copy of the notice on all other parties.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING.

1. In General.

- a. All motions, pleadings, applications, briefs, memoranda of law, transcripts of proceedings, or other documents shall be filed on the System electronically except as otherwise provided by these administrative procedures, by local rules, or by court order.
- b. E-mailing a document to the clerk's office or to the assigned judge does not constitute filing the document. A document shall not be considered filed until the System generates a notice of electronic filing.

2. Complaints and Notices of Removal.

- a. The clerk's office will accept complaints, notices of removal, and civil cover sheets sent by e-mail, submitted on 3.5" floppy disks or CDs, sent by United States mail, or delivered in person to the clerk's office.
 - i. If using e-mail, a 3.5" floppy disk, or a CD, the filing party must submit the complaint and cover sheet in .pdf format. Upon receipt of the e-mail, the clerk's office will contact the filing party for a credit card number to pay the filing fee.⁷
 - ii. The filing fee must accompany a complaint sent through the United States mail or personally delivered to the clerk's office. The clerk's office will scan the complaint, upload it to the System, and then discard the paper document.
- b. The e-mail addresses for submitting complaints by e-mail are:

ksd_clerks_kansascity@ksd.uscourts.gov
ksd_clerks_topeka@ksd.uscourts.gov
ksd_clerks_wichita@ksd.uscourts.gov

⁷ Information on the use of credit cards to pay fees can be found on the court's Internet site at www.ksd.uscourts.gov under "General Information."

Only new complaints, notices of removal, civil cover sheets, and summons forms, and proposed orders submitted to the clerk's office pursuant to paragraph II(E)(5) of these procedures, may be sent to these e-mail addresses. If an attorney sends other documents to these e-mail addresses, the clerk's office will either call the attorney or respond to the attorney with an e-mail to explain that the document must be filed in the System electronically.

- c. New cases are deemed filed the day the clerk's office receives the complaint or notice of removal as long as the clerk's office receives any required filing fee as soon as possible.
- d. A party may not electronically serve a complaint, but instead must effect service according to Federal Rule of Civil Procedure 4.
- e. Copies of state court records and proceedings filed pursuant to D. Kan. Rule 81.2 must be filed electronically.

3. Summonses.

- a. The clerk's office will receive summonses to be issued sent by e-mail, sent by United States mail, or delivered in person to the clerk's office.
- b. E-mail summonses may be sent to the e-mail addresses listed in paragraph II(A)(2)(b) above.
- c. The party requesting the summons must complete the top portion of the summons form and, if sending the summons by United States mail, also submit a stamped, self-addressed return envelope.
- d. A party may not electronically serve a summons, but instead must effect service according to the Federal Rule of Civil Procedure 4.

4. Pleadings that Add or Delete Parties or Attorneys.

- a. If, after the initial complaint in a case is filed, a party files a pleading that adds a new party to the case (*e.g.*, an amended complaint, a third-party complaint, etc.), the attorney who files the pleading shall call the clerk's office before filing the pleading in order to have the new party added to the case in the System.
- b. The System is only capable of recognizing an entry of appearance on behalf of the attorney who files the entry of appearance. Accordingly,

if an attorney files an entry of appearance on his or her own behalf as well as on behalf of other attorney(s), then the attorney who files the entry of appearance shall call the clerk's office before filing the entry of appearance in order to have the other attorneys added to the case in the System.

- c. A Withdrawal of Counsel and Entry of Appearance of Substituted Counsel, see D. Kan. Rule 83.5.5, may only be filed by the attorney entering his or her appearance, not by the withdrawing attorney.
- 5. A document will be deemed timely filed if filed prior to midnight. However, if the time of day is of the essence, the assigned judge will order that document filed by a time certain.
 - 6. If filing a document requires leave of the court (*e.g.*, an amended complaint, surreply brief, etc.), the attorney shall attach the proposed document to the motion as an exhibit. If the court grants the motion, the order will direct the attorney to file the document with the court electronically.
 - 7. The clerk's office shall maintain a paper court file in any case on or after March 20, 2003, only to the extent provided by court order, local rule (*see, e.g.*, D. Kan. Rule 5.4.1), and these procedures. The official court record shall be the electronic file maintained on the court's servers and any documents or exhibits allowed to be filed conventionally.
 - a. The clerk's office will discard all documents brought to the clerk's office for filing after those documents are scanned and uploaded to the System.
 - b. Because the clerk's office will discard all documents brought to the clerk's office for filing, the court encourages attorneys to retain the originals of documents with intrinsic value. Alternatively, prior to submitting the document to the clerk's office, an attorney may seek a court order directing the clerk's office to either
 - i. return the document to the attorney, or
 - ii. retain the original document in the court's file in conventional paper format.

Such orders, however, will be granted only in exceptional circumstances and only on a case-by-case basis. No such standing authorizations will be allowed.

8. Transcribers and Court Reporters. In addition to submitting to the clerk's office the tapes of transcribed proceedings (and original notes, if applicable), a transcriber or court reporter must also either file the certified transcript of those proceedings electronically on the System or submit to the clerk's office for uploading to the System a 3.5" floppy disk or CD containing the certified transcript of the proceedings in .pdf format. A transcriber or court reporter will not receive payment until the transcriber or court reporter has returned the tape (and notes, if applicable) to the clerk's office and has either filed a certified transcript electronically or submitted it to the clerk's office on disk.

B. SERVICE.

1. Whenever a pleading or other paper is filed electronically in accordance with these procedures, the System will generate a "Notice of Electronic Filing" to the filing party, to any other party who is a registered user and has requested electronic notice in that case,⁸ and to the assigned judge.
2. If the recipient is a registered participant in the System, the System-generated notice of electronic filing shall constitute service of the document by first class mail, postage prepaid.
3. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party so entitled. Sample language for a certificate of service is attached to these procedures as Form B.
4. A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Civil Procedure. When mailing paper copies of documents that have been electronically filed, the filing party shall also include a copy of the notice of electronic filing to provide the recipient with proof of the filing.
5. System-generated briefing deadlines (*e.g.*, those that appear when a motion is electronically filed or when querying deadlines) are for court use only and should not be relied upon as accurate briefing deadlines.

⁸To determine whether another party is a registered user, the filer can select the System's "Utilities" category, click on "Mailing Information for a Case" on the pull-down menu, and enter the case number. The System will then list the registered users in the case.

6. A filer who brings a document to the clerk's office to scan and upload to the System must serve conventional copies on all non-registered parties to the case and should expect some delay in the uploading and electronic noticing of the document. If time is an issue, filers should consider paper service or service by an alternate means on registered parties, such as e-mail or fax.

C. SIGNATURES.

1. Non-Attorney Signature, Generally. If the original document requires the signature of a non-attorney, the filing party or the clerk's office shall scan the original document, and then file it on the System electronically.

- a. This rule includes all notarized documents.
- b. The electronically filed document as it is maintained on the court's servers shall constitute the official version of that record. The court will not maintain a paper copy of the original document.
- c. A non-filing signatory or party who disputes the authenticity of an electronically filed document with a non-attorney signature or the authenticity of the signature on that document must file an objection to the document within eleven days of service of the document.

2. Attorney Signature.

- a. A pleading or other document requiring an attorney's signature shall be signed in the following manner, whether filed electronically or submitted on disk to the clerk's office: "s/ (attorney name)." The correct format for an attorney signature is as follows:

s/ Pat Attorney _____
Pat Attorney
Bar Number 12345
Attorney for (Plaintiff/Defendant) XYZ Company
ABC Law Firm
123 South Street
Kansas City, KS 66101
Telephone: (913) 123-4567
Fax: (913) 123-5678
E-mail: pat_attorney@law.com

- b. Any party challenging the authenticity of an electronically filed document or the attorney's signature on that document must file an

objection to the document within eleven days of service of the document.

3. Multiple Attorney Signatures. The following procedure applies when a stipulation or other document (*e.g.*, a joint motion) requires two or more attorney signatures:

- a. The filing attorney shall initially confirm that the content of the document is acceptable to all attorneys required to sign the document and shall obtain the signatures of all attorneys on the document. For purposes of this rule, physical, facsimile, or electronic signatures are permitted.
- b. The filing attorney then shall file the document electronically or submit it to the clerk's office on disk, indicating the signatories, (*e.g.*, "s/ Jane Doe," "s/ John Smith," etc.) for each attorney's signature.
- c. A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within eleven days of service of the document.

D. FEES PAYABLE TO THE CLERK. Any fee required for filing a pleading or paper is payable to the Clerk of the Court by credit/debit card, check, money order, or cash. The clerk's office will document the receipt of fees on the docket with a text-only entry. The court will not maintain electronic billing or debit accounts for lawyers or law firms.

E. ORDERS.

1. The assigned judge or the clerk's office shall electronically file all signed orders.
2. Proposed orders shall be submitted as outlined below.
 - a. Electronically submitted proposed orders shall not be combined with the motion into one document. Rather, the motion must be filed first, then the proposed order must be submitted by e-mail. The proposed order must refer to the document number that the System assigns to the motion when the motion is electronically filed.
 - b. So that the court can have the flexibility to edit proposed orders, all proposed orders must be submitted in a format compatible with

WordPerfect, which is a “Save As” option in most word processing software. Judges will not accept proposed orders in .pdf format.

- c. A proposed order should be attached to an Internet e-mail sent to the e-mail address of the assigned judge. The judges’ e-mail addresses are as follows:

ksd_belot_chambers@ksd.uscourts.gov
ksd_bostwick_chambers@ksd.uscourts.gov
ksd_brown_chambers@ksd.uscourts.gov
ksd_crow_chambers@ksd.uscourts.gov
ksd_humphreys_chambers@ksd.uscourts.gov
ksd_lungstrum_chambers@ksd.uscourts.gov
ksd_marten_chambers@ksd.uscourts.gov
ksd_murguia_chambers@ksd.uscourts.gov
ksd_ohara_chambers@ksd.uscourts.gov
ksd_reid_chambers@ksd.uscourts.gov
ksd_robinson_chambers@ksd.uscourts.gov
ksd_rogers_chambers@ksd.uscourts.gov
ksd_rushfelt_chambers@ksd.uscourts.gov
ksd_sebelius_chambers@ksd.uscourts.gov
ksd_vanbebbber_chambers@ksd.uscourts.gov
ksd_vratil_chambers@ksd.uscourts.gov
ksd_waxse_chambers@ksd.uscourts.gov

- d. Proposed orders corresponding to non-dispositive civil motions (*e.g.*, motions to compel, motions to modify scheduling orders, etc.) should be submitted to the assigned magistrate judge. Proposed orders corresponding to dispositive motions (*e.g.*, motions to dismiss, motions for summary judgment, motions to remand, etc.) and motions to extend briefing deadlines relating to dispositive motions should be submitted to the assigned district judge. If in doubt regarding whether to submit a proposed order to the assigned magistrate judge or the assigned district judge, the proposed order should **not** be submitted to both. Rather, the proposed order should be submitted to the magistrate judge and, if appropriate, the magistrate judge will then forward the proposed order to the district judge.

- 3. When the clerk’s office mails paper copies of an electronically filed order to a party who is not a registered participant of the System, the clerk’s office will include a copy of the notice of electronic filing to provide the non-participant with proof of the filing.

4. The assigned judge or the clerk's office, if appropriate, may grant routine orders by a text-only docket entry, for which the system will generate a notice of electronic filing. In such cases, no .pdf document will issue; the text-only entry shall constitute the court's only order on the matter.
5. Proposed orders submitted pursuant to D. Kan. Rule 77.2(a) should be prepared in a format compatible with WordPerfect 9 or a lower WordPerfect version and should then be attached to an Internet e-mail sent to the clerk's office at one of the following e-mail addresses:

ksd_clerks_kansascity@ksd.uscourts.gov
ksd_clerks_topeka@ksd.uscourts.gov
ksd_clerks_wichita@ksd.uscourts.gov

The clerk's office will not accept proposed orders in .pdf format.

F. TITLE OF DOCKET ENTRIES. The registered user who electronically files a document is responsible for designating an appropriate docket entry title by using one of the docket event categories prescribed by the court.

G. CORRECTING DOCKET ENTRIES.

1. Once a document is filed electronically, corrections to the docket can only be made by the clerk's office. The System will not permit the filing party to make changes to the document(s) or docket entry once the transaction has been accepted.
2. A document may be filed incorrectly as the result of posting the wrong .pdf file to a docket entry, selecting the wrong document type from the menu, entering the wrong case number and not catching the error before the transaction is completed, etc. **The filing party should not attempt to refile the document.** Rather, as soon as possible after an error is discovered, the filing party should contact the clerk's office with the case number and document number that needs to be corrected. If appropriate, the court will make an entry indicating the document was filed in error. The clerk's office will advise the filing party if the document needs to be refiled.

H. TECHNICAL FAILURES. The clerk's office shall deem the District of Kansas CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. Known systems outages will be posted on the web site, if possible.

1. Problems on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, will not constitute a technical failure under these procedures nor excuse an untimely filing. A filer who cannot file a document electronically because of a problem on the filer's end must file the document conventionally or via fax under the procedure set forth in D. Kan. Rule 77.1(c) if compelling circumstances exist.
2. In the event of a technical failure of the court's CM/ECF site, documents may be submitted to the clerk's office electronically on a CD or 3.5" floppy disk or via e-mail to the appropriate clerk's office account, as follows:

ksd_clerks_kansascity@ksd.uscourts.gov
ksd_clerks_topeka@ksd.uscourts.gov
ksd_clerks_wichita@ksd.uscourts.gov

3. A filing party whose filing is made untimely as the result of a technical failure of the court's CM/ECF's site may seek appropriate relief from the court.

I. PRIVACY. To address the privacy concerns created by Internet access to court documents, litigants shall modify or partially redact the following personal data identifiers appearing in documents filed with the court:

1. Social Security numbers: Use only the last four numbers; and
2. Minors' names: Use the minors' initials;
3. Dates of birth: Use only the year; and
4. Financial account numbers: Identify the name or type of account and the financial institution where maintained, but use only the last four numbers of the account number.

In addition, parties may modify or partially redact other confidential information as permitted by the court (*e.g.*, driver's license numbers, medical records, employment history, individual financial information, and proprietary or trade secret information.) Consistent with the E-Government Act of 2002 (Pub. L. 107-347, which was enacted on December 17, 2002), a party that files a document with such personal data identifiers or other confidential information redacted may file an unredacted version of the document under seal.

III. CONVENTIONAL FILING OF DOCUMENTS. The following procedures govern documents filed conventionally. The court, on motion, may also authorize conventional filing of other documents otherwise subject to these procedures.

A. DOCUMENTS TO BE FILED UNDER SEAL. A party may, but is not required to, file electronically a motion or application to file documents under seal. A motion or application not filed electronically shall be presented in conventional format to the chambers of the assigned magistrate or district judge along with a proposed order. If the motion or application is granted, the assigned judge will enter electronically the order authorizing the filing of the documents under seal unless prohibited by law. The filing party shall then deliver the documents to the clerk's office for conventional filing under seal.

B. PRO SE FILERS. Pro se filers shall file paper originals of all complaints, pleadings, motions, affidavits, briefs, and other documents that must be signed or that require either verification or an unsworn declaration under any rule or statute. The clerk's office will scan these original documents into an electronic file in the System, but will also maintain the original in a paper file.

C. SOCIAL SECURITY CASES. Absent a showing of good cause, all documents, notices, and orders in Social Security reviews shall be filed and noticed electronically, except as noted below.

1. The complaint and other documents typically submitted at the time a Social Security case is filed initially will be filed electronically and served according to II(A) of these procedures.
2. The administrative record will be filed and served conventionally because scanning that set of documents and filing or retrieving them electronically is impractical at this time. Because Social Security transcripts will not be scanned or otherwise placed into the System, the clerk's office will docket a text-only event stating that the transcript is available in paper format at the clerk's office.
3. All other documents in the case, including briefs, will be filed and served electronically.
4. To address the privacy issues inherent in a Social Security review, Internet access to the individual documents will be limited to counsel and court staff. Docket sheets, however, will be available over the Internet to non-parties. Further, non-parties will continue to have direct access to the documents on file at the clerk's office.

- D. FEE MATTERS.** Documents relating to fee matters shall be filed conventionally. This includes documents such as appointment of and authority to pay court appointed counsel, authorization and voucher for expert and other services, authorization and voucher for payment of transcript, and requests for excess fees. The initial document appointing counsel will be scanned by the clerk's office and made a part of the electronic case file. However, in order to address privacy issues, all other documents relating to fee matters shall be maintained in the clerk's office in a separate paper file.

IV. EXHIBITS.

A. IN GENERAL.

1. A filing party should electronically image, *i.e.*, "scan," a paper exhibit that is less than two megabytes and submit the exhibit as a .pdf file. But because .pdf files containing scanned documents take up considerably more space on the System than .pdf files containing electronically generated documents, filing parties may submit .pdf files containing scanned documents of more than two megabytes⁹ only if they are filed in separate two-megabyte segments.
2. Because documents scanned in color or containing a graphic take much longer to upload, filing parties must configure their scanners to scan documents at 200 dpi and in black and white, rather than in color. Documents appearing in color in their original form, such as color photographs, may be scanned in color and then uploaded to the System.
3. Filing users are required to verify that scanned documents are legible before the documents are filed electronically with the court.

- B. VOLUMINOUS EXHIBITS.** If the exhibit(s) attached to any particular document exceed a total of two megabytes, then the document and exhibits must be filed according to the following procedure.

1. The filing user must prepare an exhibit index and file the index as an attachment to the main document.
2. Each separate exhibit must be filed as a separate attachment to the main document.

⁹ Scanned documents create much larger files than electronic documents that are converted to .pdf format (e.g., a word processing document printed to Acrobat PDF Writer). Please check file sizes before uploading to the System.

3. If any particular exhibit exceeds two megabytes, then that exhibit must be broken down into separate components of two megabytes or less, and each component must be filed as a separate attachment.
4. Following is a sample exhibit index, for which each exhibit must be filed as a separate attachment to the main document.

<u>Exhibit</u>	<u>Description</u>
A	Affidavit of John Smith
B	Excerpts from Jane Doe's Deposition
C-1	Contract Between XYZ Company and ABC Company (Part 1, Pages 1-15)
C-2	Contract Between XYZ Company and ABC Company (Part 2, Pages 16-24)
D	XYZ Company General Ledgers

C. CONVENTIONAL FILING OF EXHIBITS. A party may seek a court order allowing the party to conventionally file exhibits that are not available in electronic form or that are too lengthy to electronically image, *i.e.*, "scan." If the court grants a party leave to file exhibits conventionally, then the exhibits must be filed according to the following procedure.

1. The filing user must prepare an exhibit index. This exhibit index must be filed as an attachment to the main document and must state that the exhibits are being filed conventionally with the court's permission rather than electronically.
2. The filing user shall file the pleading containing the exhibits conventionally. The pleading's caption shall identify the document to which the exhibits relate (*e.g.*, "Exhibits in Support of Defendant XYZ Company's Memorandum in Support of Motion for Summary Judgment"). The exhibits must be tabbed and bound. The clerk's office will note on the docket its receipt of the pleading containing the exhibits with a text-only entry.
3. A party must serve conventionally filed materials on other parties as if not subject to these electronic filing procedures.

V. PUBLIC ACCESS TO THE SYSTEM DOCKET

A. PUBLIC ACCESS AT THE COURT. Electronic access to the System is available for viewing to the public at no charge at the clerk's office during regular business hours. A copy fee for electronic reproduction is required in accordance with 28 U.S.C. § 1914.

- B. INTERNET ACCESS.** Remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records (“PACER”) system. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as filed documents and docket sheets in civil cases, but excluding review of calendars and similar general information.¹⁰
- C. CONVENTIONAL COPIES AND CERTIFIED COPIES.** Conventional copies and certified copies of electronically filed documents may be purchased at the clerk’s office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

¹⁰ According to a memorandum from the Administrative Office of the United States Courts dated April 9, 2002, non-judiciary CM/ECF users will be charged a fee of seven cents per page starting on July 1, 2002, to access electronic data such as docket sheets and case documents obtained remotely through the PACER system. A cap of thirty pages per document has been approved.

The access fee does not apply to official recipients of electronic documents, i.e., parties legally required to receive service or to whom service is directed by the filer in the context of service under Federal Rules of Civil Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged seven cents a page.

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS
Electronic Filing Registration Form



Name: _____

Office: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

Office Phone: _____ Ext.: _____ Fax: _____

Kansas Bar #: _____ or Date Admitted PHV: _____

Internet E-mail Address: _____

Last 4 Digits of Social Security Number: _____

E-Mail Software Used: _____
(i.e. Outlook Express, Groupwise, etc.)

Do you have a PACER account? Yes No

Type of Practice: (Check all that apply): Civil Criminal Admitted Pro Hac Vice

By registering, attorneys consent to electronic service of all documents.

By completing this form, attorneys certify that they are members in good standing of the bar of this court or admitted pro hac vice in a case currently pending before this court and that they have read and are familiar with the rules of practice and the administrative procedures guide governing electronic filing, both which may be found at www.ksd.uscourts.gov.

The electronic filing of a petition, pleading, motion, or other paper by an attorney who is a registered participant in the Electronic Filing System shall constitute the signature of that attorney under Federal Rule of Civil Procedure 11.

Each attorney admitted pro hac vice must complete and sign an Electronic Filing Registration Form. The attorney may then retrieve documents electronically through PACER and will receive System-generated notices of electronic filings. However, the System will not allow the attorney to file documents electronically.

By registering, the undersigned agrees to abide by the rules and regulations in the most recent general order currently in effect and any changes or additions that may be made in the future to the general order, the administrative procedures guide or this court's local rules.

YOUR LOGIN AND PASSWORD WILL BE MAILED TO YOU.

Return this form [via hand delivery or U.S. mail](#) to:

**Clerk, U.S. District Court
Electronic Filing Registration
259 U.S. Courthouse
500 State Avenue
Kansas City, Kansas 66101**

Date

Applicant's Signature

FORM B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

SAMPLE FORMATS - CERTIFICATE OF SERVICE

Sample A

I hereby certify that on ____ (date) ____, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following: _____. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:_____.

s/ Attorney's Name _____
Attorney's Name
Attorney's Bar Number
Attorney for (Plaintiff/Defendant)
Law Firm Name
Law Firm Address
Phone Number
Fax Number
Attorney's E-mail Address

Sample B

I hereby certify that on ____ (date) ____, I presented the foregoing to the clerk of the court for filing and uploading to the CM/ECF system which will send a notice of electronic filing to the following: _____. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:_____.

s/ Attorney's Name _____
Attorney's Name
Attorney's Bar Number
Attorney for (Plaintiff/Defendant)
Law Firm Name
Law Firm Address
Phone Number
Fax Number
Attorney's E-mail Address